Statement of
The Honorable James L. Oberstar
Subcommittee on the Coast Guard and Maritime Transportation
Hearing On
"Oil Spill in New Orleans in July 2008 and
Safety on the Inland River System"
September 16, 2008

Mr. Chairman, thank you for scheduling today's hearing to look at the July oil spill in New Orleans and safety on the Inland River System. I applaud you, Mr. Chairman, for your continued oversight of critical issues that continually need to be addressed, such as previous hearings you held on the Coast Guard's Diversity, Coast Guard Ice-Breaking and the successful short notice field hearing you had in Congresswoman Richardson's district in Long Beach on Port Development and the Environment at the Ports of Los Angeles and Long Beach. In total, you have held an astounding 24 hearings since taking over as Chairman last January. That's commendable and is a testament to your hard work and the work of the Subcommittee members.

Today, we will discuss the collision of the towing vessel Mel Oliver that was pushing a tank barge and the motor tank vessel Tintomara, which resulted in 300,000 gallons of number six fuel oil being spilled into the Mississippi River in the vicinity of New Orleans on July 23rd. The towing vessel operator was not properly licensed and therefore was not authorized to operate a towing vessel without the presence of a licensed master in the wheel house. Without that critical supervision, the operator pushed the tank barge into the path of an on-coming tanker resulting in a catastrophic oil spill that cost the maritime industry millions of dollars and caused irreparable damage to the maritime environment.

We will also be looking at important safety issues within the towing industry. DRD, the company that operated the towing vessel has been known to operate vessels without properly licensed personnel which has caused other maritime accidents.

The Coast Guard has 100 Notices of Proposed Rulemakings that are backlogged and the rulemaking that will create an inspection process for towing vessels is amongst those that have been overdue for over four years. I look forward to the testimony of Admiral Watson and I hope that he can shed some light as to the backlog of these rules. When laws are not created based on lessons learned from the past, it allows accidents like these to continue to happen where they may have been prevented if the law was in place.

The Coast Guard inspection laws were developed to ensure that Coast Guard officials physically examine all inspected vessels. They may only delegate this authority to a classification society such as the American Bureau of Shipping. These laws do not allow for safety management systems to substitute for these physical inspections by Coast Guard or ABS personnel.

Safety management systems are used to ensure that the land based management of these companies as well as the shipboard personnel have the training and management in place to ensure that safety is maintained on the vessel in between the five year physical

inspection periods by the Coast Guard. With over 5,000 towing vessels to inspection, this is going to require a significant increase in Coast Guard marine safety personnel and resources.

I would like to know if the backlog is due to a lack of resources or money on the Coast Guard's part. I would also like to know the impact to the Coast Guard once this rule is written and finalized, since they will also be responsible for inspecting thousands of towing vessels. With the Coast Guard being continually stretched thin, there has to be a way to get you the funding and resources you need to be the world's best Coast Guard. What does Congress have to do to help you get there?

I look forward to hearing from representatives of the Coast Guard and NOAA, as well as American Commercial Lines, the American Waterways Operators, the Northeast Maritime Institute, the Seafarers International Union, and the National Mariners Association.

Chairman Cummings, I am pleased to be working with you and Ranking Members Mica and LaTourette during this hearing.